



**MEETING MINUTES  
BOARD OF SUPERVISORS, COUNTY OF MONO  
STATE OF CALIFORNIA**

Regular Meetings: The First, Second, and Third Tuesday of each month. Location of meeting is specified just below.

MEETING LOCATION Mammoth Lakes BOS Meeting Room, 3rd Fl. Sierra Center Mall, Suite 307,  
452 Old Mammoth Rd., Mammoth Lakes, CA 93546

**Regular Meeting  
November 15, 2016**

9:00 AM Meeting Called to Order by Chairman Stump.

*Supervisors Present: Alpers, Corless, Johnston, and Stump.  
Supervisors Absent: Fesko.*

*Break: 10:37 a.m.  
Reconvene: 10:54 a.m.  
Closed Session: 11:20 a.m.  
Reconvene: 1:23 p.m.  
Adjourn: 1:25 p.m.*

**The Mono County Board of Supervisors stream all of their meetings live on the internet and archives them afterward. To listen to any meetings from June 2, 2015 forward, please go to the following link:**  
<http://www.monocounty.ca.gov/meetings>

Pledge of Allegiance led by Rick LaBorde

1. **OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD**  
*No one spoke.*

2. **APPROVAL OF MINUTES**

A. **Board Minutes**

Departments: Clerk of the Board

Approve minutes of the Regular Meeting held on October 4, 2016, as corrected.

**Corless moved; Alpers seconded**

**Vote: 4 yes; 0 no; Absent: Fesko**

**M16-230**

**Supervisor Johnston:**

- Page 6, under his comments, it should read “He read this in the digital clipping service as it relates to the recent bear problems reported in June Lake.”
- Page 7, under his comments, it should read “Feels the geothermal groundwater is the public’s resource”, and “Takes issue with a former employee of ORMAT now overseeing ORMAT’s project for the State.”

## **B. Board Minutes**

Departments: Clerk of the Board

Approve minutes of the Regular Meeting held on October 11, 2016, as corrected.

**Alpers moved; Johnston seconded**

**Vote: 4 yes; 0 no; Absent: Fesko**

**M16-231**

**Supervisor Johnston:**

- Page 7, is claiming the second to the motion on item 9c.

**Supervisor Stump:**

- Page 1, the public speaker’s name is Ron Day.
- Page 2, in his Board report, change “they has” to “they have”.

## **3. RECOGNITIONS**

### **A. Resolution of Appreciation for Rick LaBorde**

Departments: Board of Supervisors

Resolution of appreciation for Rick LaBorde’s service with the Inyo National Forest.

**Alpers moved; Corless seconded**

**Vote: 4 yes; 0 no; Absent: Fesko**

**M16-232**

**Supervisor Corless:**

- Recognize new employee Paul McFarland for writing the resolution.
- Read the resolution into the record.

**Supervisor Alpers:**

- Had the opportunity to work with Rick on the cross country trails. Rick made a fantastic difference for the trails program and was very dedicated and conscientious.

**Supervisor Corless:**

- Worked with Rick when she worked with Friends of the Inyo. Very gracious, but tough when needed. Recalled a restoration crew he worked with and the affect he had on the youth.

**Supervisor Stump:**

- Used to live next door to Rick, has always been impressed at his quiet contributions.

**Paul McFarland:**

- At a time when we're surrounded by words, actions speak so loudly, and Rick has had four decades of actions.

#### 4. BOARD MEMBER REPORTS

**Supervisor Alpers:**

- He attended the ESTA meeting the morning of the 9<sup>th</sup>, and the Mono Basin RPAC meeting the evening of the 9<sup>th</sup>.

**Supervisor Corless:**

- ESCOG canceled for this Friday; joint meeting with town council tomorrow.
- National Assoc of Counties Public Lands Steering Committee Update: NACO staff sent a survey to committee members to determine 2017 policy priorities last week that is due Nov. 18. I responded, using our legislative platform as a guide, and out of the 10 policy items listed, named three: "Maintain Full Funding for Payments in Lieu of Taxes (PILT) Program"; "Full Funding for Secure Rural Schools (SRS) Program"; "Support Common Sense Federal Wildfire Suppression and Prevention Policy." Though committee members were directed to name up to five priorities, none of the others given were in line with our legislative platform, and in some cases were counter to our positions. There was an option to write in a different issue/priority, so per our platform and our recent comment letter on the draft Inyo National Forest Management plan, I wrote to suggest this as a possible policy item: adequate funding for the forest service and other land management agencies to support recreation and tourism in gateway communities. I'd like to further this position at the upcoming NACO legislative conference in DC in late February—I will be coming back to the board with a travel request and want to be sure to update our legislative platform before the meeting.
- Went to Sacramento to lead a CSAC Institute course—Drama in the Boardroom. Great experience with about 20 participants from several counties, thanks to Supervisor John Gioia for teaching the class with me.
- Elections—great turnout, issues reported probably related to high interest, postal service complications, would like to see the county work on making elections even more accessible and include the public in the process, 2017 would be a good time to do this—perhaps an elections committee?
- There is some fear and anxiety regarding the Presidential election in our communities regarding deportation of undocumented residents—board members received a letter from Jeanne Oakeshott, teacher at Mammoth Elementary regarding fear expressed by her students. We need to reassure our residents and visitors that Mono County is a safe place, and remind them of the safety net that the county provides.
- I want to request that the letter be added to correspondence received, and that we schedule a community meeting around this topic. In the meantime, Sheriff Braun had this to say about local law enforcement: "The County is working to address the community concerns regarding the potential changes with the new presidential administration...For now, I can only answer what will change with the Mono County Sheriff's Office, which is nothing. We will not become enforcers of immigration law. We will continue to notify ICE [Immigration and Customs Enforcement] of the scheduled release of someone in our custody in which they have expressed an interest, but we will not hold them beyond their scheduled release. We will not participate in immigration "raids" or any similar activity."

**Supervisor Johnston:**

- Attended the Veterans Day ceremony last week at the Mammoth Fire Station. We were well represented by Chairman Stump in his part of the presentation. It was well attended with probably more than 100 people.
- Attended the Great Basin Unified Air Pollution District meeting Thursday. There was a "symposium" on Forest and Air Quality including tree mortality, smoke, and smoke transport, air quality planning and many other issues. Also, Ann Peirsall was introduced as the new

- assistant Air Pollution Control Officer (replacing Duane Ono).
- Attended the Local Transportation Commission meeting yesterday. Items included reports on the Eastern Sierra Transit Authority, YARTS, deer migration, RSTP, pavement management system in Mono County, and a Reds Meadow Road update (which is going well). Of note is the unexpected funding of Segment 1 of State Route 14, just south the intersection of Hwy 395; there was "leftover" STIP funding and construction will begin in May, 2017!
- Noted the great turnout of Mono County voters, 80% overall, with some precincts almost 90%. I believe we were in the top 5 in the State as far as voter turnout.

**Supervisor Stump:**

- 11-9 : Attended the Tri Valley Water Commission meeting. The Commission directed County Staff to start the process of the Tri Valley Commission becoming a Groundwater Sustainability Agency.
- 11-10 : Attended the Great Basin Unified Air Pollution Control District meeting and wildland fire / controlled burn smoke workshop. Excellent presentations. Number of dead trees on the west side is staggering.
- 11-11 : Attended and spoke at the Veterans Day event in Mammoth Lakes. The keynote speaker is the new Inyo / Mono Veterans Affairs representative. She gave an excellent speech. I invited her to address the Board. Her name is Jessica Allmon. She is a Bishop native. She will be attending a Veterans Service Academy between now and January so her presentation to the Board will probably have to wait to the new year.
- 11-14 : Attended LTC. Had an excellent update on the Reds Meadow road project by the Inyo Forest engineer.
- 11-14 : Attended CSA 1 meeting. The CSA is considering joining with the Sierra Club to fund blinds for the Crowley Community Center to enable projected presentations.

## 5. COUNTY ADMINISTRATIVE OFFICE

**Leslie Chapman:**

- Attended a Resource Family Approval training given by Social Services, also attended by Probation. Gave her more respect for those who provide these services and what they have to deal with.
- Active Shooter Training were put on last week by a representative from the FBI. Over 50 people attended in Mammoth 30 in Bridgeport.

## 6. DEPARTMENT/COMMISSION REPORTS

**Louis Molina, Environmental Health:**

- On Monday the 21<sup>st</sup>, working on replacing a fire hydrant. Letter from the contractor says mall will have water shut off. Departments over there will have no water that day, requesting to shut down those offices for the day, either relocate to other offices or work from home.
- **Leslie Chapman:**
  - Has already made the mgmt. decision to direct staff to work from home. Town staff is already taking the day off as well.

**Robin Roberts, Behavioral Health:**

- In response to the election results. Was at a conference on Tuesday, then met on Wednesday to discuss if Affordable Care Act will be changed, how to deal with changes. There could be some very significant changes for our residents in the county. Staff came together on how to help families / clients who may be afraid. Concern over immigration issues, LGBT issues, and potential impacts on climate and global warming and our future. We need to come up with positive ways for our residents to move forward, make our community feel stronger and more connected. Afraid people will isolate themselves.

- We don't know how things are going to land. However, the emotional landscape has changed. People are now speaking out in ways that are damaging, bullying is on the rise. We need to let people know we care about them.

**Bob Musil, Elections:**

- Very large turnout, 82.67% of registered voters have voted, still have approximately 340 provisional ballots to count. Very happy to see our voter turnout. Started processing provisionals this morning, every valid ballot will be counted.
- An alternate member of the Assessment Appeals Board was approved a few weeks ago, and a regular member has since resigned so we again need an additional member.

**7. CONSENT AGENDA**

(All matters on the consent agenda are to be approved on one motion unless a board member requests separate action on a specific item.)

**A. Ordinance Authorizing Biweekly Pay Periods**

Departments: CAO, Finance, Human Resources

Proposed ordinance authorizing biweekly pay periods.

**Action:** Adopt proposed ordinance authorizing biweekly pay periods.

**Alpers moved; Corless seconded**

**Vote: 4 yes; 0 no; Absent: Fesko**

**ORD16-10**

**B. Amendment to MOUs with Deputy Sheriff's Association and Sheriff's Management Association to Allow for Bi Weekly Pay Periods**

Departments: Finance, CAO

Proposed resolution adopting and approving third amendment to the 2014-2016 Memorandum of Understanding between the County and the Mono County Sheriffs' Officers Association (AKA the Deputy Sheriffs' Association).

**Action:** Adopt proposed resolution #R16-77, adopting and approving third amendment to the 2014-2016 Memorandum of Understanding between the County and the Mono County Sheriffs' Officers Association (AKA the Deputy Sheriffs' Association) to allow for bi-weekly pay periods and approving the first amendment to the 2015-2018 MOU between the County of Mono and the Mono County Sheriff's Management Association to allow for bi-weekly pay periods.

**Alpers moved; Corless seconded**

**Vote: 4 yes; 0 no; Absent: Fesko**

**R16-77**

**C. Treasury Transaction Report**

Departments: Finance

Treasury Transaction Report for the month ending 9/30/2016

**Action:** Approve the Treasury Transaction Report for the month ending 9/30/2016

**Alpers moved; Corless seconded**  
**Vote: 4 yes; 0 no; Absent: Fesko**  
**M16-233**

**D. Resolution Increasing the Rate of Pay for Position of District Attorney**

Departments: District Attorney

Proposed resolution changing salary range for elected position of District Attorney.

**Action:** Approve Resolution #R16-78, Amending the rate of pay for the position of the District Attorney, in order to provide parity and salary structure to the Office of the District Attorney. Authorize the Board Chair to execute said contract on behalf of the County.

**Alpers moved; Corless seconded**  
**Vote: 4 yes; 0 no; Absent: Fesko**  
**R16-78**

**E. Resolution Amending Employment Agreement with Brad Braaten**

Departments: District Attorney

Proposed resolution amending employment agreement with Brad Braaten to increase the rate of pay to provide parity with other professional class attorneys employed by the County.

**Action:** Approve Resolution #R16-79, Amending the employment agreement with Brad Braaten, to increase the rate of pay to provide parity with other professional class attorneys employed by the County. Authorize the Board Chair to execute said contract on behalf of the County.

**Alpers moved; Corless seconded**  
**Vote: 4 yes; 0 no; Absent: Fesko**  
**R16-79**

**F. Resolution Amending Employment Agreement with David Anderson**

Departments: District Attorney

Proposed resolution amending employment agreement with David Anderson to increase the rate of pay to provide parity with other professional class attorneys employed by the County.

**Action:** Approve Resolution #R16-80, Amending the employment agreement with David Anderson, to increase the rate of pay to provide parity with other professional class attorneys employed by the County. Authorize the Board Chair to execute said contract on behalf of the County.

**Alpers moved; Corless seconded**  
**Vote: 4 yes; 0 no; Absent: Fesko**  
**R16-80.**

**G. Resolution and Employment Agreement for Frank Smith**

Departments: Human Resources

Proposed resolution approving a contract with Frank Smith as Chief Investigator,

and prescribing the compensation, appointment and conditions of said employment.

**Action:** Approve Resolution #R16-81, approving a contract with Frank Smith as Chief Investigator and prescribing the compensation, appointment and conditions of said employment. Authorize the Board Chair to execute said contract on behalf of the County.

**Alpers moved; Corless seconded**

**Vote: 4 yes; 0 no; Absent: Fesko**

**R16-81**

#### H. Probation Agreement for Services for Juvenile Detention

Departments: Probation

Proposed contract with El Dorado County pertaining to juvenile detention, including use of El Dorado County juvenile detention facilities to house long-term juvenile detainees.

**Action:** Approve County's entry into proposed contract and authorize Chair of the Board of Supervisors to execute said contract on behalf of the County.

**Alpers moved; Corless seconded**

**Vote: 4 yes; 0 no; Absent: Fesko**

**M16-234**

#### 8. CORRESPONDENCE RECEIVED - NONE

All items listed are located in the Office of the Clerk of the Board, and are available for review. Direction may be given to staff regarding, and/or the Board may discuss, any item of correspondence listed on the agenda.

#### 9. REGULAR AGENDA - MORNING

##### A. Moody's Assigns an Initial Aa3 Issuer Rating to Mono County, CA

Departments: Finance

(Janet Dutcher) - Moody's Investor Report assigning an initial Aa3 Issuer Rating to Mono County, CA.

**Action:** Receive Moody's Investor Report assigning an initial Aa3 Issuer Rating to Mono County, CA, discuss the County's credit strengths, challenges and rating outlook and provide any desired direction to staff.

**Janet Dutcher:**

- Went through her staff report, explained how the rating is assigned, what the ratings mean.

##### B. Location Change for Mammoth Board Meeting

Departments: CAO

(Leslie Chapman) - Proposed location change for the third Board meeting of each month from the Sierra Center Mall in Mammoth to the Town Council chambers.

**Action:** Authorize staff to seek approval from the Town Council, Town of Mammoth Lakes, to use the Town Council Chamber for the Mammoth Board meeting for the third Tuesday of each month on a permanent basis.

**Leslie Chapman:**

- Is this something the Board would entertain? Need to see if the Board is interested, and would still need to go before the Town Council for approval. The town manager and the board clerk both think our once a month meeting will not be a problem.

**Nate Greenberg:**

- Didn't plan the outage today, but is indicative of the challenges we face with this room. Town has invested money into their board room and their technology to be able to record and televise meetings. Very easy for us to make our Granicus work there, and ease of videoconferencing to our remote locations as well. We should be seeing some revenue in the future because of broadband connections. Feels it makes a lot of sense, this room needs to be reevaluated for Audio/Visual.
- Setting up A/V in the courtroom in Sierra Center Mall wouldn't save us money; the A/V is already set up across the street. Maybe \$20k to replicate what we have and need.

**PUBLIC COMMENT:**

**Paul Rudder:**

- We have a courtroom we aren't using, and we don't have any immediate need for in the future. Wanted to make it available to the County to use. Would it save the County money to put video equipment there instead of across the street? It's an option.
- Would provide courtroom without charge, County would have exclusive use, no sharing.

**Board consensus:**

Move forward with Suite Z, but keep options open for the future.

**C. Resolution Amending Personnel Rules to Provide for Biweekly Pay Periods**

Departments: CAO, Finance, Human Resources

(Leslie Chapman, Janet Dutcher, Dave Butters) - Proposed resolution amending sections 090 and 240 of the Mono County Personnel Rules to provide for biweekly pay periods and making corresponding adjustments to the timing of step increases.

**Action:** Adopt proposed resolution #R16-82, amending sections 090 and 240 of the Mono County Personnel Rules to provide for biweekly pay periods and making corresponding adjustments to the timing of step increases. Provide any desired direction to staff.

**Johnston moved; Corless seconded**

**Vote: 4 yes; 0 no; Absent: Fesko**

**R16-82**

**Dave Butters:**

- Explained his staff report regarding the two changes that need to be implemented.

**10. OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD**

*No one spoke.*



11. **CLOSED SESSION**

**A. Closed Session--Human Resources**

CONFERENCE WITH LABOR NEGOTIATORS. Government Code Section 54957.6. Agency designated representative(s): Stacey Simon, Leslie Chapman, and Dave Butters. Employee Organization(s): Mono County Sheriff's Officers Association (aka Deputy Sheriff's Association), Local 39--majority representative of Mono County Public Employees (MCPE) and Deputy Probation Officers Unit (DPOU), Mono County Paramedic Rescue Association (PARA), Mono County Public Safety Officers Association (PSO), and Mono County Sheriff Department's Management Association (SO Mgmt). Unrepresented employees: All.

**B. Closed Session - Exposure to Litigation**

CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION. Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Government Code section 54956.9. Number of potential cases: one. Facts and circumstances: California Department of Resources Recycling and Recovery (CalRecycle) and Local Enforcement Agency (LEA) investigation of apparent illegal dumping at or near Paradise Camp dump site.

**C. Closed Session - Existing Litigation**

CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION. Paragraph (1) of subdivision (d) of Government Code section 54956.9. Names of cases: United States of America, *et al.* v. Walker River Irrigation District, *et al.* (Two appeals in subdivision "B" of underlying action, generally regarding additional water rights asserted by United States and Walker River Paiute Tribe.)

**D. Closed Session - Real Property Negotiations**

CONFERENCE WITH REAL PROPERTY NEGOTIATORS. Government Code section 54956.8. Property: Sierra Center Mall, Mammoth Lakes. Agency negotiators: Leslie Chapman, Janet Dutcher, Tony Dublino, Stacey Simon. Negotiating parties: Mono County and Highmark Mammoth Investments, LLC. Under negotiation: Price and terms of payment.

**REPORT OUT OF CLOSED SESSION:**

- **A:** no report
- **B:** In closed session, the Board considered an ongoing investigation by the California Department of Resources Recycling and Recovery regarding possible illegal dumping near the Paradise Transfer Station. This investigation also involves the Los Angeles Department of Water and Power. Approval was given for the County to continue to participate and to represent its interests in connection with this investigation.
- **C:** In closed session, the Board considered coordinating with Centennial

Livestock and other parties to jointly oppose consolidated appeals filed by the United States of America and the Walker River Paiute Tribe. These appeals are pending in the Ninth Circuit U.S. Court of Appeals, and generally involve claims for additional water rights in the Walker River system claimed by the federal government and the Tribe, beyond those rights adjudicated in the Walker River Decree. Both appeals are captioned *United States of America, et al. v. Walker River Irrigation District, et al.* Approval was given to oppose these appeals in coordination with Centennial and any other interested parties.

- **D:** no report.

#### **OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD**

*No one spoke.*

**ADJOURN @1:25 P.M.**

**ATTEST**

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**FRED STUMP**  
**CHAIRMAN OF THE BOARD**

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**HELEN NUNN**  
**SR. DEPUTY CLERK OF THE BOARD**